

Amendment And Response Under 37 C.F.R. §1.116  
Serial No. 10/657,359  
Page -6-

### REMARKS

Claims 1-3, 5-9, 11-20 and 33-45 are pending in the present application. By this Amendment, previously presented claims 1, 35, and 40 have been amended. Applicants respectfully request reconsideration of the present claims in view of the foregoing amendments and the following remarks.

Entry of the above amendment is proper under 37 C.F.R. §1.116 (a) in that the above amendment (1) places the claims in condition for allowance; (2) places the claims in better condition for consideration on appeal, if necessary; (3) does not raise any new issues; and (4) does not add new claims without canceling a corresponding number of claims. For the reasons given above, entry of the above amendment under 37 C.F.R. §1.116 is respectfully requested.

It should be noted that the above claim amendments were made in response to a January 30, 2007 telephone conference with Examiner Muromoto.

#### I. Formal Matters:

##### Obviousness-Type Double Patenting Rejection

Previously presented claims 1-3, 5-13, 15, 19-20, 35-36 and 40-42 were rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1-12, 14-18, 22, 25-27 and 30 of U.S. Patent No. 6,854,135. This rejection is respectfully traversed for at least the reasons given in Applicants' July 10, 2006 Amendment and Response and Applicants' December 04, 2006 Amendment and Response.

Previously presented claims 14, 33-34, 37-39 and 43-45 were rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1-12, 14-18, 22, 25-27 and 30 of U.S. Patent No. 6,854,135 in view of U.S. Patent No. 5,931,971 to Zucker (hereinafter, "Zucker"). This rejection is respectfully traversed for at least the reasons given in Applicants' July 10, 2006 Amendment and Response and Applicants' December 04, 2006 Amendment and Response.

In order to expedite allowance of the present application, Applicants provide herewith a Terminal Disclaimer disclaiming any patent term of the present application that would extend beyond the patent term of U.S. Patent No. 6,854,135 or the patent term of U.S. Patent Application Serial No. 10/853,324.

Amendment And Response Under 37 C.F.R. §1.116  
Serial No. 10/657,359  
Page -7-

## II. Prior Art Rejections:

### Rejection of Previously Presented Claims 1-2, 5-6, 13-16, 18-20 and 33-45 Under 35 U.S.C. §103(a) In View of Zucker

Previously presented claims 1-2, 5-6, 13-16, 18-20 and 33-45 were rejected under 35 U.S.C. §103(a) as unpatentable over Zucker. This rejection is respectfully traversed for at least the reasons given in Applicants' July 10, 2006 Amendment and Response and Applicants' December 04, 2006 Amendment and Response.

Applicants have amended the claims as shown above in order to further distinguish the claimed invention from the art of record. Applicants respectfully submit that the teaching of Zucker fails to make obvious Applicants' claimed invention as embodied in independent claims 1, 35 and 40. Since claims 2, 5-6, 13-16, 18-20, 33-34, 36-39 and 41-45 depend from independent claims 1, 35 and 40, and recite additional claim features, the teaching of Zucker also fails to make obvious Applicant's claimed invention as embodied in dependent claims 2, 5-6, 13-16, 18-20, 33-34, 36-39 and 41-45. Accordingly, withdrawal of this rejection is respectfully requested.

### Rejection of Previously Presented Claims 7-12 Under 35 U.S.C. §103(a) as being Unpatentable over Zucker in view of Langley

Previously presented claims 7-12 were rejected under 35 U.S.C. §103(a) as being unpatentable over Zucker in view of U.S. Patent No. 5,869,193 to Langley (hereinafter, "Langley"). This rejection is respectfully traversed for at least the reasons given in Applicants' July 10, 2006 Amendment and Response and Applicants' December 04, 2006 Amendment and Response.

For at least the reasons given above, Applicants respectfully submit that the proposed combination of the teaching of Zucker with the teaching of Langley fails to make obvious Applicants' claimed invention as embodied in dependent claims 7-9 and 11-12. Accordingly, withdrawal of this rejection is respectfully requested.

## III. Conclusion:

Applicants respectfully submit that claims 1-3, 5-9, 11-20 and 33-45 define patentable subject matter. Accordingly, Applicants respectfully request allowance of these

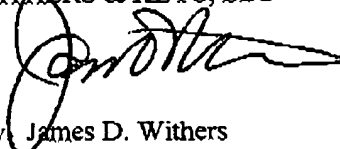
Amendment And Response Under 37 C.F.R. §1.116  
Serial No. 10/657,359  
Page -8-

claims.

No additional fees are believed due; however, the Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, to Deposit Account No. 503025.

Should Examiner Muromoto believe that anything further is necessary to place the application in better condition for allowance, Examiner Muromoto is respectfully requested to contact Applicants' representative at the telephone number listed below.

Respectfully submitted,  
WITHERS & KEYS, LLC



By: James D. Withers  
Reg. No. 40,376

WITHERS & KEYS, LLC  
P.O. Box 2049  
McDonough, Georgia 30253  
678-565-4748

Attorney No. 10008.0081US01